

Exhibit E

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JUNHONG LU, as Mother and Next Friend of
SHEN HAOCHEN, a minor,

Plaintiff,

v.

THE BOEING COMPANY, a corporation,

Defendant.

No. _____

Removed from
Circuit Court of Cook County,
County Department, Law Division
No. 2013 L 010404

**DECLARATION OF ANNGELIQUE BOWEN IN SUPPORT OF
THE BOEING COMPANY'S NOTICE OF REMOVAL**

I, Anngelique Bowen, declare as follows:

Introduction

1. I am a Product Development Systems Integration Leader & Acting Senior Airplane Product Development Systems Leader Supervisor in the Systems Product Development group at The Boeing Company ("Boeing"). I have held that position since 2012. Before that, I was an Avionics Architect in the Product Development group for two years. I have worked at Boeing since 2000. Since 2003 I have had delegated authority from the Federal Aviation Administration ("FAA"), within the authorized area of Electrical Equipment,¹ to find or recommend the FAA find compliance with certain Federal Aviation Regulations.

2. I have reviewed Plaintiff's complaint in this action. This declaration is offered in support of Boeing's notice of removal. I base this declaration on my personal knowledge and on information collected by other Boeing employees. I am competent to testify to my statements in this declaration and would testify about my statements if called to do so.

FAA Delegation

3. The FAA has delegated authority to private parties to test, analyze, and inspect aircraft as part of the system for managing aviation safety since the 1920s. The FAA delegates

¹ FAA Order 8110.37E, Appendix B, Chart C2 sets forth the Systems and Equipment (Electrical Equipment) functions and areas, and can be found at <http://www.faa.gov/documentLibrary/media/Order/8110.37E.pdf>.

its authority in a number of ways, one of which is through the Designated Engineering Representative (“DER”) system. The DER system enables the FAA to delegate to private parties the responsibility to perform some of the tests, analyses, and inspections necessary to demonstrate compliance with applicable airworthiness standards. A DER is required to follow the same procedures that an FAA engineer is required to follow when finding compliance with those standards, and DER actions are overseen by FAA certification engineers.

4. From 2003 through 2006, I was a DER with delegated authority from the FAA, within the authorized area of Electrical Equipment, to find or recommend the FAA find compliance with certain Federal Aviation Regulations.

5. Following a restructuring of the FAA delegation system, from 2004 to the present I have retained the same delegated authority as an Authorized Representative (“AR”). During the transition period of 2004 to 2006, I had delegated authority as a DER and an AR.

AIMS Certification

6. Boeing delivered 777-200ER serial number 29171 (the “Airplane”) to Asiana Airlines on March 7, 2006. The Airplane Information Management System (“AIMS-2”) delivered on the Airplane was manufactured by Honeywell International Inc. (“Honeywell”). The AIMS-2 provides flight and maintenance crews pertinent information concerning the overall condition of the airplane, its maintenance requirements, and its key operating functions. One of the AIMS-2 functional areas is Thrust Management, which includes the autothrottle. In my role as a DER, I recommended that the FAA find that the AIMS-2 Hardware delivered on the Airplane complied with the applicable Federal Aviation Regulations.

7. Certification of the AIMS-2 Hardware delivered on the Airplane involved several steps. First, Boeing sent a Certification Plan Letter to the FAA’s Seattle Aircraft Certification Office. The Certification Plan Letter described the AIMS-2 certification project and Boeing’s plan for what approvals it would obtain to support the certification of AIMS-2. The FAA concurred with the Certification Plan Letter.

8. A system Safety Analysis of AIMS-2 was also performed. The Safety Analysis included the analyses required to show compliance to the FAA-mandated Functional Hazard Assessment for AIMS-2. Honeywell provided the Failure Modes and Effects Analysis, as well as some preliminary Fault Tree Analyses at a system level. DERs reviewed and updated the Fault Tree Analyses for the Airplane level and provided the final analysis results. The resulting AIMS-2 Safety Analysis contains, among other things: (1) a system overview, (2) a description of the safety features of the AIMS-2 functions, (3) a summary of the FAA-mandated Functional Hazard Assessment, (4) detailed Fault Tree Analysis and Failure Modes and Effects Analysis that show compliance to the Functional Hazard Assessment, including compliance with the certification safety requirements, and (5) supporting data.

9. Based on the Safety Analysis, I determined in my capacity as a DER that the AIMS-2 Hardware complied with the applicable Federal Aviation Regulations, including 14 C.F.R. §§ 25.1309(b), (c) and (d). Seven other DERs, including the DER for the Thrust Management functional area, determined for their designated areas that the AIMS-2 Hardware complied with the applicable Federal Aviation Regulations. The seven other DERs and I relied in part on FAA Advisory Circular 25.1309-1A, which provides guidance regarding acceptable means of finding compliance with 14 C.F.R. §§ 25.1309(b), (c) and (d).

10. On September 12 2003, the seven other DERs and I signed a Form 8110-3, Statement of Compliance with the Federal Aviation Regulations, with respect to the AIMS-2 Hardware. In doing so we recommended, in our capacities as DERs, the FAA approve the system Safety Analysis and find that the AIMS-2 Hardware complied with the standards in the Federal Aviation Regulations and was airworthy. The FAA approved the system Safety Analysis and made the finding of compliance.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 16, 2013.


Annelique Bowen